
HOUSE BILL No. 1290

DIGEST OF INTRODUCED BILL

Citations Affected: IC 35-49-3-3.

Synopsis: Renting materials harmful to minors. Makes it a Class D felony to rent or display for rent matter that is harmful to minors within 500 feet of a school or church.

Effective: July 1, 2003.

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January 13, 2003, read first time and referred to Committee on Human Affairs.

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First Regular Session 113th General Assembly (2003)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2002 Regular or Special Session of the General Assembly.

HOUSE BILL No. 1290

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 35-49-3-3, AS AMENDED BY P.L.3-2002,
2 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2003]: Sec. 3. (a) Except as provided in subsection (b), a
4 person who knowingly or intentionally:
5 (1) disseminates matter to minors that is harmful to minors;
6 (2) displays matter that is harmful to minors in an area to which
7 minors have visual, auditory, or physical access, unless each
8 minor is accompanied by the minor's parent or guardian;
9 (3) sells, **rents**, or displays for sale **or rent** to any person matter
10 that is harmful to minors within five hundred (500) feet of the
11 nearest property line of a school or church;
12 (4) engages in or conducts a performance before minors that is
13 harmful to minors;
14 (5) engages in or conducts a performance that is harmful to
15 minors in an area to which minors have visual, auditory, or
16 physical access, unless each minor is accompanied by the minor's
17 parent or guardian;



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1 (6) misrepresents the minor's age for the purpose of obtaining
2 admission to an area from which minors are restricted because of
3 the display of matter or a performance that is harmful to minors;
4 or

5 (7) misrepresents that the person is a parent or guardian of a
6 minor for the purpose of obtaining admission of the minor to an
7 area where minors are being restricted because of display of
8 matter or performance that is harmful to minors;

9 commits a Class D felony.

10 (b) This section does not apply if a person disseminates, displays,
11 or makes available the matter described in subsection (a) through the
12 Internet, computer electronic transfer, or a computer network unless:

13 (1) the matter is obscene under IC 35-49-2-1;

14 (2) the matter is child pornography under IC 35-42-4-4; or

15 (3) the person distributes the matter to a child less than eighteen
16 (18) years of age believing or intending that the recipient is a
17 child less than eighteen (18) years of age.

18 SECTION 2. [EFFECTIVE JULY 1, 2003] **IC 35-49-3-3, as**
19 **amended by this act, applies only to offenses committed after June**
20 **30, 2003.**

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